

**DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Hoven School District
Accountability Review - Monitoring Report 2012-2013**

Team Members: Rita Pettigrew and Linda Shirley, Education Specialists

Dates of On Site Visit: March 27, 2013

Date of Report: May 6, 2013

All non-compliance must be corrected within 1 year of this report date.

Date Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Division of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
 - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
 - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
- (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and

(3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)

State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Division of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

GENERAL SUPERVISION / STATE PERFORMANCE PLAN COMPLIANCE INDICATOR

ARSD 24:05:25:04. Evaluation procedures -- General. School districts shall ensure, at a minimum, that evaluation procedures include the following:

- (5) A variety of assessment tools and strategies are used to gather relevant functional, developmental, and academic information about the child, including information provided by the parents that may assist in determining:
- (a) Whether the child is a child with a disability; and
 - (b) The content of the child's IEP, including information related to enabling the child:
 - (i) To be involved in and progress in the general education curriculum; or
 - (ii) For a preschool child, to participate in appropriate activities;
- (7) The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities; and
- (8) The evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:

(2) A statement of measurable annual goals, including academic and functional goals, designed to:(a) Meet the student's needs that result from the student's disability to enable the student to be involved in and progress in the general education curriculum; and (b) Meet each of the student's other educational needs that result from the student's disability;

(5) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on state and district-wide assessments consistent with § 24:05:14:14.

ARSD 24:05:27:01.02. Development, review, and revision of individualized education program. In developing, reviewing, and revising each student's individualized education program, the team shall consider the strengths of the student and the concerns of the parents for enhancing the education of their student, the results of the initial or most recent evaluation of the student, the academic, developmental, and functional needs of the student. The individualized education program team also shall:

(1) In the case of a student whose behavior impedes his or her learning or that of others, consider the use of positive behavioral interventions and supports and other strategies to address that behavior;

§300.320 (a)(7) Comment Initiation, Frequency, Location and Duration of Services

What is required is that the IEP include information about the amount of services that will be provided to the child, so that the level of the agency's commitment of resources will be clear to parents and other IEP Team members. The amount of time to be committed to each the various services to be provided must be appropriate to the specific service and clearly state in the IEP in a manner that can be understood by all involved into the development and implementation the IEP.

Corrective Action:

| Student: | Prong 1 - Required Action and Date to be Submitted: | Prong 2 - Required Action and Date to be Submitted: |
|---|---|---|
| Student File # 2: This student was reported on child count under the category of Speech and Language (550). At the student's September 2012 Individual Education Program (IEP) meeting, parent input in the student's present levels of academic achievement and functional performance (PLAAFP), was not documented. | <ol style="list-style-type: none">1) The district must conduct an annual meeting or amend student file #2's IEP to include parent input in the student's present levels of academic achievement and functional performance (PLAAFP),2) A copy of the annual or amended IEP must be submitted to SEP by September 30, 2013. | <ol style="list-style-type: none">1) The case manager for student file #2 will submit to Special Education Programs (SEP) by December 1, 2013 <u>one student's IEP</u> (completed since the on-site review date). |
| Date Prong 1 Data Submitted: | | |

| |
|------------------------------|
| Status: |
| Date Prong 2 Data Submitted: |
| Status: |

| Student: | Prong 1 - Required Action and Date to be Submitted: | Prong 2 - Required Action and Date to be Submitted: |
|---|--|---|
| Student File # 4: This student was reported on child count under the category of Specific Learning Disability (525). When considering special factors during the development of the IEP, the team indicated the student did not have any behavior concerns. The student's February 2013 evaluation indicated otherwise. Positive intervention strategies were not developed to address the student's behavior/social issues. In addition, the services to be provided did not address the student's specialized instruction for math. | <ol style="list-style-type: none"> 1) The district must amend student file #4's IEP to address behavior concerns under special factors and document the student's specialized instruction for math. 2) A copy of the amended IEP must be submitted to SEP by September 30, 2013. | <ol style="list-style-type: none"> 1) The special education teacher for student file #4 must submit to SEP by December 1, 2013 a student file with the disability of Other Health Impaired who has been initially evaluated or reevaluated since the on-site review date. The student file must include: <ul style="list-style-type: none"> • Prior Notice consent for evaluation • Evaluation reports including skill-based assessment • Eligibility document • IEP and; • Prior Notice |
| Date Prong 1 Data Submitted: | | |
| Status: | | |
| Date Prong 2 Data Submitted: | | |
| Status: | | |

| Student: | Prong 1 - Required Action and Date to be Submitted: | Prong 2 - Required Action and Date to be Submitted: |
|--|---|---|
| Student File # 6: This student was reported on child count under the category of Other Health Impairment (555). Documentation of a chronic or acute health problem was not found in the student's file to support the disability. In addition, the student's IEP which was developed in December 2012 does not | <ol style="list-style-type: none"> 1) The district must meet to review the student's evaluation/assessment needs, send prior notice to parent to obtain consent to conduct and/or pull forward the appropriate evaluation, complete needed evaluations and obtain documentation of a chronic or acute health problem, summarize information in a report, meet with parents to determine eligibility, and | <ol style="list-style-type: none"> 1) Data submitted by the special education teacher for Prong 2 noted above will be used to verify correction. |

| | | |
|--|---|--|
| break out the student's specialized instruction for special education nor were goal(s) identified for the related service of counseling. | <p>develop an IEP if appropriate. If an IEP is written it must include appropriate documentation to address the student's specialized instruction and if the related service of counseling is needed identify goal(s).</p> <p>2) A copy of the following documentation must be submitted to SEP by September 30, 2013:</p> <ul style="list-style-type: none"> • Prior Notice Consent • Evaluation/assessment report • Eligibility document • IEP and; • Prior Notice | |
| Date Prong 1 Data Submitted: Status: | | |
| Date Prong 2 Data Submitted: Status: | | |

| Student: | Prong 1 - Required Action and Date to be Submitted: | Prong 2 - Required Action and Date to be Submitted: |
|--|--|--|
| Through a review of student files (5, 6, and 7) data gathered by the team indicated accommodations/modifications were not consistently provided, used for instruction during the assessment administration, or documented appropriately. | <p>Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.</p> <p>Activity/Procedure:</p> <ol style="list-style-type: none"> 1. The district will review current policy/procedure to determine why discrepancies are occurring. 2. Develop a process that will allow for the appropriate documentation and provision of accommodations for state/district assessments. 3. Meet and review procedures/process with IEP staff and testing coordinator. 4. Implement procedures and collect data to verify accommodation are appropriately documented and provided during state/district assessments. | Implement policy/procedure/practice identified in Prong #1. Data submitted for Prong #1 will be used to verify correction. |

| | | |
|---|---|--|
| | <p><u>The district will collect and submit to SEP the following data By September 30, 2013:</u></p> <ol style="list-style-type: none"> 1. Written description of the process the district will implement to correct the discrepancies. 2. Meeting documentation to include the date staff meeting occurred, name of individual who chaired the meeting and names of all participants/position titles, who attended the training. | |
| Date Prong 1 Data Submitted: Status: | | |
| Date Prong 2 Data Submitted: Status: | | |

State Performance Plan – Performance Indicators

Indicator 3: Performance on Statewide Assessments: Math performance of children (K-8) with disabilities on statewide assessments.

State Target: 79% or higher

District Rate 22.22%:

District Response: We are continuing to work to bring this subgroup up to proficiency. We have implemented the use of the Saxon math program in grades K-8. This program uses a spiraling method to help students learn through repeated reinforcement and instruction and is scientifically based. Those elementary students receiving reinforcement instruction from our special education team do so in a one-to-one setting as well as instruction in the general classroom setting. Our special education team works closely with general classroom teachers to reinforce the skills that each individual child is struggling with and to develop individual goals for each child. With our small numbers everyone works together to try to bring these children up to proficiency.

Indicator 8: Parent involvement: percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. (L = Response rate less than 15% of December 1, 2008 child count)

State Target: 65.2% or higher

District Rate: 93.30%

District Response: District Response: Our special education team works hard to make sure that parents are involved and a part of the team as it

takes everyone working together to help students achieve and grow. We are a small school and we work closely with our parents to keep them informed of their child's progress. It is not unusual for the parents to talk to the special education staff on a daily or weekly basis. We also encourage their input during and between special education meetings.